

REMARKS/ARGUMENTS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Claims 1-22, and 23-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,258,766 ("Romack") in view of U.S. Patent 5,676,705 ("Jureller"). For at least the following reasons, the claims are believed to be patentable over the cited references.

No Suggestion of a Conditioning Step in Either Romack or Jureller

There is no suggestion of a conditioning step in the cited references, either alone or in combination. Instead, the Examiner cites the general description of the cleaning process described in Romack at col. 6, lines 10-16 (*emphasis added*):

The cleaned article is then removed from the drum. The article may optionally be rinsed (for example, by removing the composition from the drum, adding a rinse solution such as liquid CO₂, ***with or without additional ingredients such as water, co-solvents, etc.***, to the drum, agitating the article in the rinse solution, removing the rinse solution, and repeating as desired), after the agitating step and before it is removed from the drum.

It is from this that the Examiner equates Romack's rinsing step with the conditioning step of the pending claims. However, Romack neither *explicitly* nor *implicitly* suggests a conditioning step. Specifically, upon the fair reading of Romack the skilled artisan would not conclude that Romack suggests the addition of further surfactant into the rinsing solution by the term "...with or without additional ingredients such as water, co-solvents, etc...." The function of the rinsing step, *i.e.*, the principle of operation¹ of the rinsing step, is to remove soil and detergent residues from the now cleaned material – NOT to add further surfactants (detergents) to the cleaned materials. Therefore, Applicants submit that the Examiner has *redefined* a required element of Romack (rinsing step) and then combined a secondary reference, Jureller (surfactants) to build a *prima facie* case of obviousness. Such a combination fails to present a *prima facie* case of obviousness as the change in the principle of operation results in an unpredictable combination with no reasonable expectation of success. Therefore, as the Examiner has failed to provide each and every element of the pending claims, all rejections should be removed.

¹ VI. THE PROPOSED MODIFICATION CANNOT CHANGE THE PRINCIPLE OF OPERATION OF A REFERENCE. If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959) [See MPEP 2143.01(V)].

Romack Does Not Suggest Branched Polyalkoxylates (in Any Step)

Romack does not suggest, generally or otherwise, a fatty alcohol **branched** polyalkoxylate or fatty acid **branched** polyalkoxylate in the entire specification, much less the specific citations relied on by the Examiner. Quite simply, Romack does not suggest the claimed fatty alcohol branched polyalkoxylates or fatty acid branched polyalkoxylates - period. Rather, the particular surfactants of Romack are - *at best* - fatty alcohol ethoxylates, which are NOT branched polyalkoxylates!

Moreover, Romack's surfactants are included only in a cleaning composition and are used only in a cleaning step. Romack's surfactants are most certainly NOT used in the later rinsing step that the Examiner misrepresents as a conditioning step (see Advisory Action at page 2). Romack does not employ a conditioning step - rather, Romack may employ a rinsing step which may include water or other co-solvents (to rinse off detergent residues). However, there is absolutely no suggestion that Romack's surfactants may be included in the rinsing solution. Therefore, not only has the Examiner not recognized the branched polyalkoxylate feature of the conditioning agent of the pending claims, but has also not raised any plausible argument for asserting the suggestion of a conditioning step in either Romack or Jureller.

No Motivation to Combine Jureller with Romack

There is no motivation to combine Jureller with Romack to cure the above noted deficiency of Romack - *i.e.*, there is no hint or suggestion that fatty alcohol **branched** polyalkoxylates or fatty acid **branched** polyalkoxylates can be used as surfactants in Romack, much less that these would be equivalent in function to a fatty alcohol ethoxylate (*i.e.*, fatty alcohol **non-branched** alkoxylate). Out of all the surfactants listed in Romack, there is no mention of a branched polyalkoxylate feature - specifically or generically - within Romack. Even assuming *arguendo* that one were to combine Romack and Jureller, as neither reference suggests a conditioning step, such a combination still fails to render the pending claims obvious.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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